



DEPARTMENT OF THE AIR FORCE  
WASHINGTON DC

Office of the Assistant Secretary

28 SEP 2001

CONTRACTING POLICY MEMO 01-C-08

MEMORANDUM FOR ALMAJCOM/FOA/DRU (CONTRACTING)

FROM: SAF/AQC  
1060 Air Force Pentagon  
Washington DC 20330-1060


SUBJECT: Simplified Acquisition Threshold for Operation ENDURING FREEDOM

10 U.S.C. §101(a)(13) defines a contingency operation as "a military operation that (A) is designated by the Secretary of Defense as an operation in which members of the armed force are or may become involved in military actions, operations, or hostilities against an enemy of the United States or against an opposing military force; or (B) results in the call or order to, or retention on, active duty of members of the uniformed services under section 688, 12301(a), 12302, 12304, 12305, or 12406 of this title, chapter 15 of this title, or any other provision of law during a war or during a national emergency declared by the President or Congress."

On September 14, 2001, the President, in Proclamation 7463, "Declaration of a National Emergency by Reason of Certain Terrorist Attack," established a national emergency "by reason of the terrorist attacks at the World Trade Center, New York, New York, and the Pentagon, and the continuing and immediate threat of further attacks on the United States." On the same day, under Executive Order 13223, "Ordering the Ready Reserve of the Armed Forces To Active Duty and Delegating Certain Authorities to the Secretary of Defense and the Secretary of Transportation," the President invoked the provisions of Title 10 to order "any unit, and any member of the Ready Reserve not assigned to a unit organized to serve as a unit, in the Ready Reserve to active duty for not more than 24 consecutive months." A national emergency has been declared and 10 U.S.C. §12302 has been invoked, therefore, the conditions of (B) above have been met.

Accordingly, Operation ENDURING FREEDOM is determined to be a contingency operation. As a result, the "Simplified Acquisition Threshold," as prescribed in FAR 2.101 is increased to \$200,000 only for contracts actions awarded and performed, outside the United States, in direct support of this operation. Contingency Contracting Officers should reference this memorandum as their authority to apply the \$200,000 threshold.

Questions should be directed to Major Harold Cunningham, SAF/AQCP, DSN 425-7056 or Major Cedric Wilson, SAF/AQCX, DSN 425-7227.



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